

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

EVAN C. BRAMHALL,)	Civil Action No.: 3:21-cv-03345-JMC
)	
Plaintiff,)	
v.)	
)	
)	<u>ORDER</u>
KILOLO KIJAKAZI, Acting Commissioner of Social Security Administration,)	
)	
Defendant.)	
)	

Plaintiff Evan C. Bramhall filed this action “seeking Mandamus Relief pursuant to 28 U.S.C. § 1361 to compel the Acting Commissioner to pay attorney’s fees to the Plaintiff’s Counsel which were approved by Administrative Law Judge Arthur Conover in the amount of eight thousand five hundred dollars (\$8,500.00).” (ECF No. 1 at 1.)

This matter is before the court pursuant to Plaintiff’s Motion to Dismiss because “Plaintiff has received eight thousand five hundred dollars (\$8,500.00) from the Social Security Administration.” (ECF No. 8 at 1.) Plaintiff also seeks to protect “the right to file for attorney fees and costs pursuant to the provisions of the Equal Access to Justice Act [“EAJA”], 28 U.S.C. §[]2412, and § 504 et. seq.” (ECF No. 8 at 1.) Defendant consents to Plaintiff’s requests. (*Id.*; *see also* ECF No. 10.) Therefore, after consideration of Plaintiff’s Motion and Defendant’s consent, the court **GRANTS** Plaintiff’s Motion to Dismiss (ECF No. 8) and **DISMISSES** the Complaint. Plaintiff, through his attorney, is granted until January 17, 2022, to file a motion for attorney’s fees under the EAJA.

IT IS SO ORDERED.

J. Michelle Childs

United States District Judge

December 17, 2021
Columbia, South Carolina